



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Griffith, et al.
Serial No. : 07/938,990
Filing Date : September 1, 1993 Examiner: D. Adams
Attorney Docket No. : IPC-025CC Art Unit: 1806
Title : ALLERGENIC PROTEINS AND PEPTIDES FROM
JAPANESE CEDAR POLLEN

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231 on June 24, 1993.

RECEIVED

JUL 1 1993

By:

Darlene A. Vanstone

Darlene A. Vanstone
Attorney for Applicants
Reg. No. 35, 729

RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

Dear Sir:

In response to the Restriction Requirement dated June 4, 1993, applicants provisionally elect with traverse the invention of Group I, claims 1-9, 11-26, 29, 31-39, 50-52, 55, 60-62, 64-69, 74, and 76-85 drawn to isolated peptide, classified in class 530, subclass 324+. Applicants reserve the right to file a divisional application on the non-elected subject matter of the remaining claims of this case.

In a conversation between applicants' attorney and Examiner Donald Adams on June 23, 1993, applicants attorney brought to the attention of the Examiner a preliminary amendment filed May 21, 1993 which requested that prior to examination, the Examiner add claims 76-98. This preliminary amendment was probably not received by the Examiner until after the date of the restriction requirement. Therefore, at the suggestion of Examiner Adams during the June 23, 1993 telephone call, applicants' attorney has made the following selection of Groups for claims 76-98: claims 76-85 are Group II, and claims 86-98 are Group I.


The traversal is that applicants submit that Groups I, IV, and V are conceptually linked warranting examination in a single application. The claims of Group I are directed toward isolated peptide; the claims of Group II are directed toward a method of using the peptide of Group I to treat individuals with allergies to Japanese Cedar Pollen, and the claims of Group V are directed toward using the peptides of Group I in a method of detecting allergies to Japanese Cedar Pollen in individuals. Hence Groups I, IV, and V are related as product and methods of using the product. Therefore, it is respectfully requested that the Examiner withdraw the requirement for restriction particularly with regard to Groups I, IV and V.

If the Examiner has any questions regarding this response or this application, the Examiner is cordially invited to telephone the undersigned attorney. The response to this action is set to expire on July 4, 1993, and therefore this response should be deemed timely filed.

Respectfully Submitted,

Griffith et al.

By


Darlene A. Vanstone

Registration No. 35,729

Attorney for Applicants

ImmuLogic Pharmaceutical Corporation
610 Lincoln St., Waltham MA 02154
Tel: (617) 466-6000